

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Initially, referring to the Advisory Action mailed August 13, 2004, which indicates that the amendments filed July 30, 2004 will not be entered for the reasons given, such amendments should now be entered in view of the filing of a Request for Continued Examination (RCE) concurrently herewith.

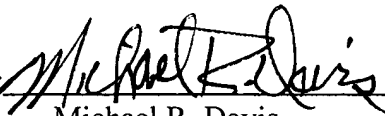
Referring to the continuation sheet attached to the Advisory Action, wherein the Examiner states that the preamble limitations do not alone add patentable weight to the claims, claim 1 has now been further amended to place the description of the coating material as being transparent in the body of the claim, rather than in the claim preamble.

Also on the continuation sheet of the Advisory Action, the Examiner states there is no place in the specification that provides for the specific sugar particle size of the claims. However, please note that, as Applicants have already pointed out, the Examples 1, 2, 4 and 5 in the specification support the lower limit of 70 μm for the particle size of the sugar. Accordingly, the specification is considered to support the sugar particle size range of 70 μm to about 1 mm as presently claimed. Please see the section on RANGE LIMITATIONS in M.P.E.P. 2163.05.

In view of these amendments, and for the reasons set forth in the Amendment After Final Rejection filed July 30, 2004, Applicants again take the position that the present application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

Takahiro KITANO et al.

By: 

Michael R. Davis
Registration No. 25,134
Attorney for Applicants

MRD/jmj
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
August 30, 2004